

Appln. No. 10/643,406

Attorney Docket No. 10541-1850

**II. Remarks**

Claims 1-11 stand rejected. Claim 1 is being amended. Accordingly, after entering this amendment, claims 1-11 remain pending.

Specifically, claim 1, as amended, is directed to a header for a heat exchanger with a substantially planar base portion extending laterally defining a width and longitudinally defining a length and a pair of step portions, each of which extends longitudinally along a respective side of the base portion and laterally at an angle as a straight or a curved segment from the plane of the base portion. The header is also provided with a plurality of substantially parallel slots spaced apart along the length of the header. Each slot has an elongate section extending across the width of the base portion and end sections extending from the elongate section into the step portions of the header.

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

*Claim Rejections - 35 U.S.C. §102(b)*

Claims 1-2 and 7-11 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 1,730,470 to Modine (Modine '470), U.S. Patent No. 1,893,521 to Modine (Modine '521), U.S. Patent No. 5,797,448 to Hughes et al. (Hughes), Japan Patent No. JP2003114094 to Taisuke et al. (Taisuke), U.S. Patent No. 6,216,776 to Kobayashi et al. (Kobayashi), U.S. Patent No. 5,289,873

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to Ryan et al. (Ryan), U.S. Patent Publication No. 2004/0050540 to Kato et al. (Kato), or U.S. Patent No. 6,830,100 to Gowan et al. (Gowan).

As amended, claim 1 now requires a header for a heat exchanger with a pair of step portions that extend longitudinally along a respective side of a base portion and laterally at an angle as a straight or a curved segment from the plane of the base portion. The header is provided with a plurality of substantially parallel slots spaced apart along the length of the header. Each slot has an elongate section extending across the width of the base portion and end sections extending from the elongate section into respective step portions of the header.

None of the references cited by the Examiner describes a header with side portions that extend laterally at an angle as a straight or curved segment from the plane of a base portion and with a plurality of slots spaced apart along the length of the header that also extend across the width of the base portion and into the step portions.

Accordingly, none of the references cited by the Examiner teaches each and every element of the header recited in amended claim 1.

Further, since claims 2 and 7-11 depend from claim 1, directly or indirectly, the reasons for allowance of claim 1 apply as well to the dependent claims.

Accordingly, reconsideration of the rejections under 35 U.S.C. § 102 and allowance of claims 1-2 and 7-11 are respectfully requested.

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*Claim Rejections - 35 U.S.C. §103(a)*

Claims 3-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Taisuke, Kobayashi, Ryan, Kato, or Gowan.


Since claims 3-6 depend from claim 1, directly or indirectly, and since Taisuke, Kobayashi, Ryan, Kato, and Gowan do not teach all the features of claim 1, the reasons for allowance of claim 1 apply as well to claims 3-6.

Accordingly, reconsideration of the rejections under 35 U.S.C. § 103(a) and allowance of claims 3-6 are respectfully requested.

*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1-11) are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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